

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KRZYSZTOF F. WOLINSKI,

Plaintiff,

v.

ABDULBASET ABDULGADER, et al.,

Defendants.

No. 2:21-cv-02078-DJC-CKD P

ORDER

Plaintiff, a state prisoner proceeding pro se, filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 7, 2024, Plaintiff filed a document the Court construes as a request for reconsideration of the Magistrate Judge's order granting him one last 21 day extension of time to respond to defendant's discovery requests. Pursuant to E.D. Local Rule 303(f), a magistrate judge's orders shall be upheld unless "clearly erroneous or contrary to law." Upon review of the entire file, the Court finds that it does not appear that the Magistrate Judge's ruling is clearly erroneous or contrary to law, and so will deny the request for reconsideration.

Additionally, on April 18, 2025, the Magistrate Judge filed findings and recommendations herein which were served on all parties and which contained notice

1 to all parties that any objections to the findings and recommendations were to be filed
2 within fourteen days. Plaintiff sought and was granted extensions of time up to and
3 including August 25, 2025 to file objections. Neither party filed timely objections to
4 the findings and recommendations.

5 The Court has reviewed the file and finds the findings and recommendations to
6 be supported by the record and by the Magistrate Judge's analysis. Accordingly, IT IS
7 HEREBY ORDERED as follows:

- 8 1. Plaintiff's motion for reconsideration (ECF No. 68) is denied.
- 9 2. The findings and recommendations (ECF No. 76) are adopted in full;
- 10 3. Defendants' motion for sanctions and dismissal of the case (ECF No. 69) is
11 GRANTED as to the request for terminating sanctions and denied as to the request for
12 attorney fees.
- 13 4. Plaintiff's objections to the Magistrate Judge's order dated January 29, 2025
14 are construed as an application for reconsideration (ECF No. 75) and are DENIED.
- 15 5. This action is DISMISSED, with prejudice, for failure to comply with this
16 court's orders. See Fed. R. Civ. P. 37(b)(2)(A); Fed. R. Civ. P. 41(b); Local Rule 110.
- 17 6. This Order resolves all pending motions and the Clerk of the Court is
18 directed to close this case.

19
20 IT IS SO ORDERED.

21 Dated: **September 5, 2025**


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE